

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference MDE: RPW: FP17896 | FOR FURTHER ACTION | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416). |
| International Application No. PCT/AU2003/000665 | International Filing Date <i>(day/month/year)</i> 30 May 2003 | Priority Date <i>(day/month/year)</i> 30 May 2002 |
| International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ F16G 11/00, F16L 3/233, B65D 63/10, H02G 3/22, A01G 17/12, A01K 11/00, G09F 3/02, 3/04 | | |
| Applicant NAVISAFE CORPORATION PTY LTD et al | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 17 sheet(s).

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

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|--|--|
| Date of submission of the demand 17 December 2003 | Date of completion of the report 28 September 2004 |
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer B. NGUYEN Telephone No. (02) 6283 2306 |

I. Basis of the report**1. With regard to the elements of the international application:***☐ the international application as originally filed.

☒ the description, pages 10 - 17 , as originally filed,
pages , filed with the demand,
pages 1 - 5, 7 - 9A, received on 30 August 2004 with the letter of 30 August 2004
pages 6, received on 24 September 2004 with the letter of 24 September 2004

☒ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages 18 - 20, 23, 24 received on 30 August 2004 with the letter of 30 August 2004
pages 21, 22 received on 24 September 2004 with the letter of 24 September 2004

☒ the drawings, pages 1/4 - 4/4 , as originally filed,
pages , filed with the demand,
pages , received on with the letter of

☐ the sequence listing part of the description:

pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

1. Claims 1 – 23, 43 – 47 : A system for differentiating two or more cables/containers.
2. Claims 24 – 28: A card comprising a plurality of detachable elongate members.
3. Claims 29, 30: An electrical appliance cable identification tying device.
4. Claims 31 – 42: A tying device.

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

| | | |
|-------------------------------|---------------|-----|
| Novelty (N) | Claims 1 - 47 | YES |
| | Claims | NO |
| Inventive step (IS) | Claims 1 - 47 | YES |
| | Claims | NO |
| Industrial applicability (IA) | Claims 1 - 47 | YES |
| | Claims | NO |

2. Citations and explanations (Rule 70.7)

None of cited documents discloses the features of the invention as defined in independent claims 1, 29, 31, 35, 39 and 43.

The invention defined in claims 1 to 47 is not disclosed by any of these documents.

No relevant combination of the cited documents would lead a person skilled in the art to the invention defined in the claims.

Therefore, the invention as defined in claims 1 to 47 is novel and is considered to involve an inventive step. The invention is also considered to be industrially applicable.

NEW CITATIONS

US 4268986 A (PIANA) 26 May 1981

US 4899474 A (PIANA) 13 February 1990

US 4947568 A (BARBIERI) 14 August 1990

US 4579759 A (BREUERS) 1 April 1986

US 6651362 B2 (CAVENEY) 25 November 2003